



House of Representatives

File No. 816

General Assembly

January Session, 2003

(Reprint of File No. 160)

Substitute House Bill No. 6588
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 31, 2003

AN ACT CONCERNING WINE ORDERED WITH RESTAURANT MEALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-22 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) A restaurant permit shall allow the retail sale of alcoholic liquor
4 to be consumed on the premises of a restaurant. A restaurant patron
5 may remove one unsealed bottle of wine for off-premises consumption
6 provided the patron has purchased a full course meal and consumed a
7 portion of the bottle of wine with such meal on the restaurant
8 premises. For the purposes of this section, "full course meal" means a
9 diversified selection of food which ordinarily cannot be consumed
10 without the use of tableware and which cannot be conveniently
11 consumed while standing or walking. A restaurant permit, with prior
12 approval of the Department of Consumer Protection, shall allow
13 alcoholic liquor to be served at tables in outside areas which are not
14 screened from public view where permitted by fire, zoning and health
15 regulations. If not required by fire, zoning or health regulations, a

16 fence or wall enclosing such outside areas shall not be required by the
17 Department of Consumer Protection. No fence or wall used to enclose
18 such outside areas shall be less than thirty inches high. The annual fee
19 for a restaurant permit shall be one thousand two hundred dollars.

20 (b) A restaurant permit for beer shall allow the retail sale of beer
21 and of cider not exceeding six per cent of alcohol by volume to be
22 consumed on the premises of a restaurant. The annual fee for a
23 restaurant permit for beer shall be two hundred forty dollars.

24 (c) A restaurant permit for wine and beer shall allow the retail sale
25 of wine and beer and of cider not exceeding six per cent of alcohol by
26 volume to be consumed on the premises of the restaurant. A restaurant
27 patron may remove one unsealed bottle of wine for off-premises
28 consumption provided the patron has purchased a full course meal
29 and consumed a portion of the bottle of wine with such meal on the
30 restaurant premises. The annual fee for a restaurant permit for wine
31 and beer shall be five hundred sixty dollars.

32 (d) Repealed by P.A. 77-112, S. 1.

33 (e) A partially consumed bottle of wine that is to be removed from
34 the premises pursuant to subsection (a) or (c) of this section shall be
35 securely sealed and placed in a bag by the permittee or permittee's
36 agent or employee prior to removal from the premises.

37 [(e)] (f) "Restaurant" means space, in a suitable and permanent
38 building, kept, used, maintained, advertised and held out to the public
39 to be a place where hot meals are regularly served, but which has no
40 sleeping accommodations for the public and which shall be provided
41 with an adequate and sanitary kitchen and dining room and employs
42 at all times an adequate number of employees.

This act shall take effect as follows:
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Section 1	<i>October 1, 2003</i>
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The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Consumer Protection, Dept.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill would allow a restaurant patron to remove for off-premises consumption a partially-consumed bottle of wine ordered with a restaurant meal as long as it is properly sealed and bagged by the permittee, agent or employee. Its passage would have no fiscal impact on the Department of Consumer Protection.

Since the state of Connecticut does not ban open containers in motor vehicles, passage of the bill would not violate federal law.

House "A" adds the bottle sealing and bagging provision and would have no fiscal impact.

OLR Bill Analysis

sHB 6588 (as amended by House "A")*

AN ACT CONCERNING WINE ORDERED WITH RESTAURANT MEALS**SUMMARY:**

This bill allows a restaurant patron to take from the premises one open wine bottle if he bought and drank part of it with a full course meal he ate at the restaurant. The permittee or his agent or employee must first securely seal and put the bottle in a bag. Current law permits on-premises consumption only.

Under the bill, a "full course meal" is a diversified selection of food that ordinarily cannot be consumed without using tableware and which cannot be conveniently consumed while standing or walking.

*House Amendment "A" adds the bottle sealing and bagging provision.

EFFECTIVE DATE: October 1, 2003

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0